



STATE OF ARIZONA

JANET NAPOLITANO
GOVERNOR

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October 1, 2008

VIA FACSIMILE AND U.S. MAIL

The Honorable Michael Mukasey
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Re: State Criminal Alien Assistance Program Invoices

Dear Attorney General Mukasey:

I enclose with this letter an invoice for \$501,252,637.92 for costs incurred by the State of Arizona to incarcerate criminal aliens that remain unreimbursed by our federal government and penalties for non-payment. I'm referring to the uncompensated costs Arizona's state government has incurred since 2003 for incarcerating criminal aliens under the State Criminal Alien Assistance Program ("SCAAP"). As you know, the federal government is required by law to pay these costs, but has refused to pay more than pennies on the dollar.

By refusing to fully reimburse Arizona for its SCAAP costs, the federal government has unfairly forced Arizona to bear the federal government's costs arising from its failure to adequately secure its borders. This comes at a time of severe financial hardship for Arizonans, who were disproportionately affected by the housing market downturn and credit market tightening. This spring I let you know that Arizona faced the largest budget shortfall in its history. We continue to face grim economic news. Arizona can no longer afford to continue this subsidization at the cost of necessary public safety, education and health services desperately needed by our citizens.

The enclosed invoice details all unpaid costs incurred by the State of Arizona since 2003, the interest costs incurred on the unpaid balance and penalties for failure to pay. As always, I remain available to meet with you personally on this important issue.

Yours very truly,

A handwritten signature in black ink that reads "Janet Napolitano".

Janet Napolitano
Governor

JN:LK/jm
Encl.